

First Reading: _____
Second Reading: _____

2016-042
Field, LLC, Gabe Thomas, and
Jennifer Langworthy
District No. 1
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 721, 725, AND 729 NORTH MARKET STREET; 14, 16, 18, AND 20 PEAK STREET; AND 718 SPEARS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 721, 725, and 729 North Market Street; 14, 16, 18, and 20 Peak Street; and 718 Spears Avenue, more particularly described herein:

Lots 36 thru 38, Map of Land of J. H. Coker, Plat Book 1, Page 3, ROHC and Parts of Lots 76 thru 78, ROHC, being part of Tract 1 and Tracts 2 thru 7, Deed Book 9808, Page 716, and all the property described in Deed Book 6451, Page 826, ROHC. Part of Tax Map No. 135D-A-020 and Tax Map Nos. 135D-A-022 thru 028.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to UGC Urban General Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to the following conditions:

- 1) Limit to residential, retail, and office uses; retail uses, if included, shall be incorporated into the same structure as the residential uses (no free-standing retail structures;
- 2) No auto-oriented commercial uses allows; and
- 3) Limit to two-story height for all buildings. Those buildings with frontage within one hundred (100') feet of the northeast corner of the site may have a three-story height maximum.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem

First Reading: _____
Second Reading: _____

2016-042
Field, LLC, Gabe Thomas, and
Jennifer Langworthy
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 721, 725, AND 729 NORTH MARKET STREET; 14, 16, 18, AND 20 PEAK STREET; AND 718 SPEARS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 721, 725, and 729 North Market Street; 14, 16, 18, and 20 Peak Street; and 718 Spears Avenue, more particularly described herein:

Lots 36 thru 38, Map of Land of J. H. Coker, Plat Book 1, Page 3, ROHC and Parts of Lots 76 thru 78, ROHC, being part of Tract 1 and Tracts 2 thru 7, Deed Book 9808, Page 716, and all the property described in Deed Book 6451, Page 826, ROHC. Part of Tax Map No. 135D-A-020 and Tax Map Nos. 135D-A-022 thru 028.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to UGC Urban General Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2016-042 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Field, LLC, Gabe Thomas/ and John & Jennifer Langworthy petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from R-1 Residential Zone to UGC Urban General Commercial Zone, properties located at 721, 725 & 729 North Market Street, 14, 16, 18 & 20 Peak Street and 718 Spears Avenue.

Lots 36 thru 38, Map of Land of J. H. Coker, Plat Book 1, Page 3, ROHC and Parts of Lots 76 thru 78, ROHC, being part of Tract 1 and Tracts 2 thru 7, Deed Book 9808, Page 716, and all the property described in Deed Book 6451, Page 826, ROHC. Part of Tax Map 135D-A-020 and Tax Map 135D-A-022 thru 028 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 14, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,


AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the following conditions: 1) Limit to residential, retail and office uses; retail uses, if included, shall be incorporated into the same structure as the residential uses (no free-standing retail structures; 2) No auto-oriented commercial uses allowed; and 3) Limit to 2-story height for all buildings. Those buildings with frontage within 100' of the northeast corner of the site may have a 3-story height maximum.

Respectfully submitted,


John Bridge
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2016-042

PC Meeting Date: 03-14-16

Applicant Request**Rezone from R-1 Residential Zone to UGC Urban General Commercial Zone**

Property Location:	721, 725, & 729 N. Market Street, 14, 16, 18, & 20 Peak Street, 718 Spears Avenue
Property Owner:	John & Jennifer Langworthy
Applicant:	Field LLC/Gabe Thomas

Project Description

- Proposal: Develop 0.76-acre site with 13 Townhomes.
- Proposed Access: Peak Street.
- Proposed Development Form: 2- to 3-story live-work townhomes.
- Proposed Density: Approximately 17 dwelling units per acre.

Site Analysis**Site Description**

- Location: The site is located in the Hill City neighborhood on the south side of Peak Street at the intersection with North Market Street.
- Current Access: Peak Street, North Market Street, and Spears Avenue.
- Current Development form: The neighborhood is urban in form with lots placed within a well-connected grid network of streets and alleys. There are mostly one-story buildings within a 500 foot radius of this site.
- Current Land Uses: Single-family homes are located to the south, west and northwest. An office/warehouse use is located across the street to the north. The site is bounded on the east by North Market Street with non-residential uses fronting the east side of North Market Street.
- Current Density: The average residential density of Peak Street between Snow Street and North Market Street is approximately 6 dwelling units per acre (12 residential lots on 2 acres).
- There is a 15' stormwater easement running across the south east corner of the site.

Zoning History

- The site is currently zoned R-1 Residential.
- Properties to the north are zoned R-1 Residential, M-2 Light Industrial, and R-4 Special Zone. Properties to the east are zoned R-1 Residential and C-2 Convenience Commercial. Properties south and west are zoned R-1 Residential.
- There is no UGC zone (same as the request) within 1,000 feet of the site.
- The site was requested to be rezoned from R-1 Residential to UGC Urban General Commercial Zone in May 2015 but was withdrawn by the applicant. The site was requested to be rezoned again in January of 2016 but was withdrawn by applicant.

Plans/Policies/Regulations

- The North Shore Plan (adopted by City Council in 2007) recommends Low-Intensity Mixed-Use and Urban Single Family Residential uses for the properties at this location. Low-Intensity Mixed-Use is defined as:

"This development form is for low-intensity mixed-uses with building footprints smaller than 5,000 square feet, and for buildings of less relative scale than those of the medium-intensity form. Development in this classification should be constructed in line with urban design principles. Uses should be oriented towards the pedestrian rather than the automobile; automobile-oriented uses, such as gas stations, restaurants with drive-throughs, and the like, are strongly discouraged. Storefront retail & offices with 2nd floor office or residential uses are encouraged, as is the orientation of pedestrian entries

PLANNING COMMISSION CASE REPORT

to the primary streets. Parking should be placed to the rear when possible. Zero setbacks are encouraged; maximum building height should not exceed 30 feet, though this maximum may be lower in some areas. This form can be located adjacent to low density residential uses."

- The North Shore Plan also recommends rezoning parcels along North Market Street, between Chambliss and Peak Streets, to C-7 North Shore Commercial/Mixed Use Zone to allow greater housing density or mixed use development.
- The C-7 North Shore Commercial/Mixed Use Zone permits a mix of residential and non-residential uses, but site design approval is required by the North Shore Review Committee.
- The UGC Urban General Commercial Zone permits residential and non-residential uses, but with a required urban development form and no maximum density requirement.

Key Findings

- The proposal of townhouses, with some live-work units, is supported by the adopted Land Use Plan for the area as it includes the recommended low-intensity mixed-use development form. The proposed Urban General Commercial Zone is compatible with the North Shore Plan's recommended C-7 North Shore Commercial/Mixed Use Zone.
- The proposed use is compatible with surrounding residential, office and commercial uses in the area.
- The proposed 2- to 3-story townhouses, with appropriate heights based on proximity to single-family dwellings, are compatible with the development form of the area. The proposed live-work townhomes facing North Market Street supports the recommendation in the North Shore Plan to increase density along North Market Street.
- The proposed residential density is higher than the densities for bordering residential streets; however, the proposal is oriented toward Peak and North Market Streets, which feature a mix of single family and commercial/office uses.
- The proposed structures could raise concerns regarding height as Urban General Commercial Zone allows for buildings up to 4-stories.
- The proposal would not be an extension of an existing zone, but the proposed zone is consistent with the adopted Land Use Plan's recommendations.
- The proposal would set a precedent for future requests.
- The proposal as shown does not meet setback requirements due to the 15' on-site stormwater easement. A variance will be required.
- The proposal as shown may not meet the Building Mass requirements as noted in section 38-208(3) of the Chattanooga Zoning Ordinance.

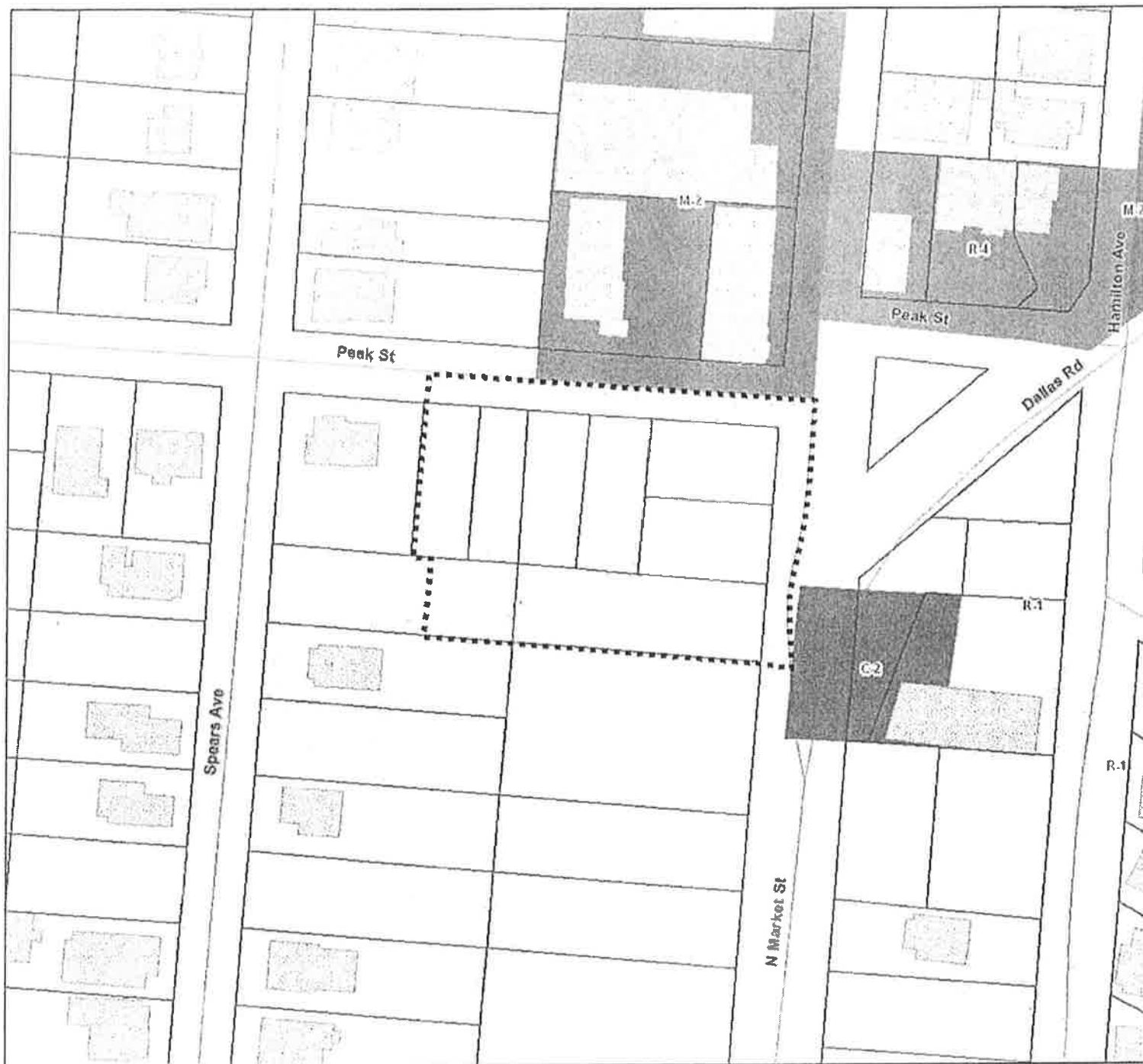
Staff Recommendation

Approve, subject to the following conditions:

1. Limit to residential, retail and office uses; retail uses, if included, shall be incorporated into the same structure as the residential uses (no free-standing retail structures)
2. No-auto-oriented commercial uses allowed.
3. Limit to 2-story height for all buildings. Those buildings with frontage within 100' of the northeast corner of the site may have a 3-story height maximum.

ZONING APPLICATION FORM

CASE NUMBER:	2016-042		Date Submitted: 1-25-2016	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)				
1 Applicant Request				
Zoning	From: R-1		To: UGC	
Total Acres in request area: 0.76 +/-				
2 Property Information				
Property Address:	721, 725, & 729 N. Market Street, 14, 16, 18, & 20 Peak Street, 718 Spears Avenue			
Property Tax Map Number(s):	135D-A-022, 023, 024, 025, & 026, 135D-A-027, 028 & a portion of 135D-A-020			
3 Proposed Development				
Reason for Request and/or Proposed Use:	Townhomes			
4 Site Characteristics				
Current Zoning:	R-1			
Current Use:	Vacant			
Adjacent Uses:	R-1, R-4, C-2 & M-1 Commercial & Residential			
5 Applicant Information				
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.				
Name: Field LLC/Gabe Thomas		Address: 1161 East Main Street		
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner		
City: Chattanooga	State: TN	Zip Code: 37408	Email: gabe@collierbuild.com	
Phone 1: 423-265-0110	Phone 2:	Phone 3:	Fax:	
6 Property Owner Information (if not applicant)				
Name: John & Jennifer Langworthy		Phone: 423-643-3724		
Address: 1700 Woodcliff Circle Signal Mountain, TN 37377				
Office Use Only:				
Planning District: 1NS		Neighborhood: CNAC, North Shore Neighborhood, Hill City, Northside Cherokee Community		
Hamilton Co. Comm. District: 6		Chatt. Council District: 1		Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:		
Checklist				
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions		
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 0.76	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable	
Deed Book(s): 9808-716, 6451-826				
Plat Book/Page: 1-28, 1-3		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
<input checked="" type="checkbox"/> Filing Fee: Paid Previously	<input type="checkbox"/> Cash	<input type="checkbox"/> Check	Check Number: N/A	
Planning Commission meeting date: 3-14-2016		Application processed by: P Dodd & M Parker		



2016-042 Rezoning from R-1 to UGC

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-042:
Approve, subject to the conditions listed in the Planning Commission Resolution.

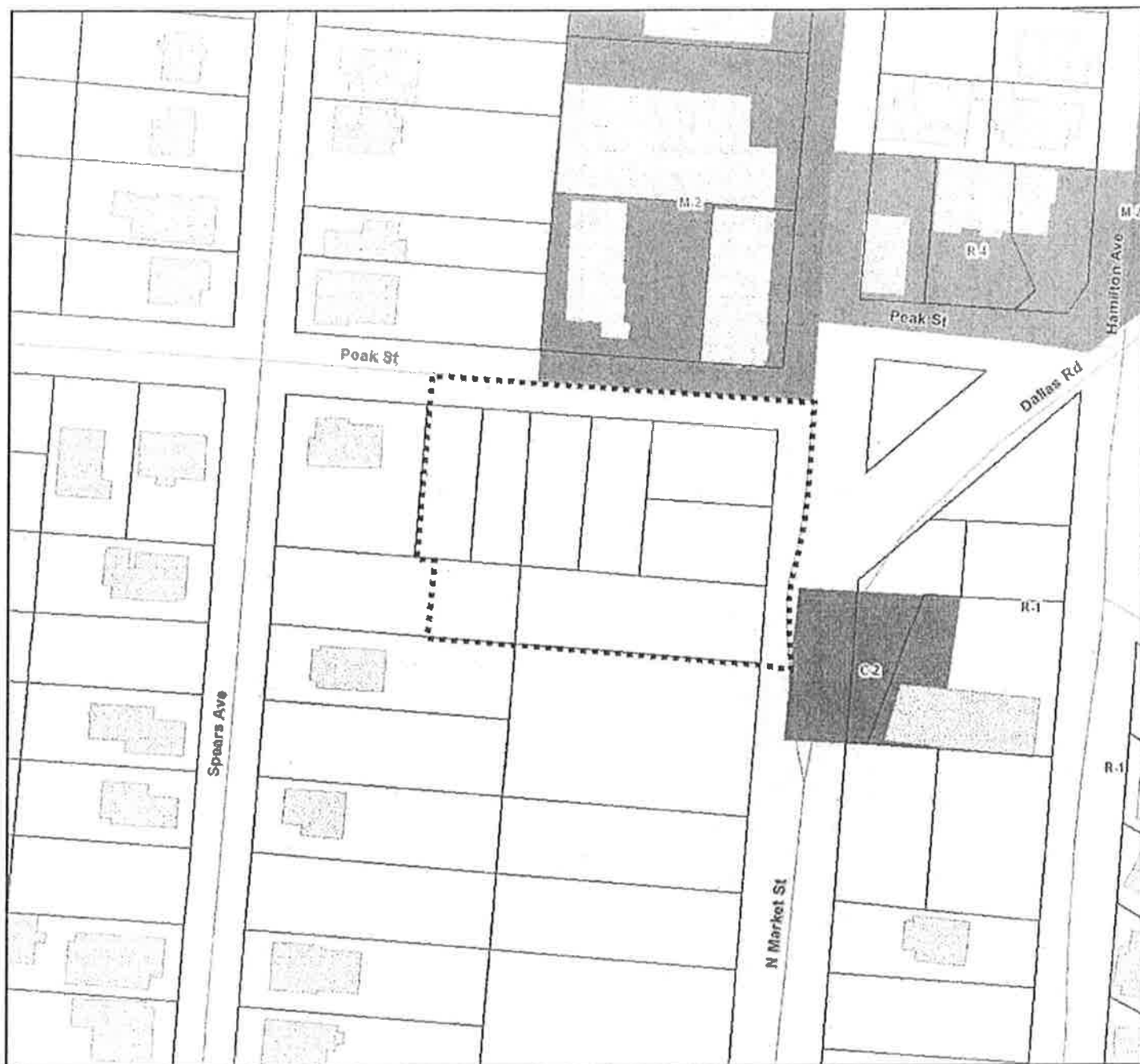


91 ft



Chattanooga Hamilton County Regional Planning Agency





2016-042 Rezoning from R-1 to UGC



Chattanooga Hamilton County Regional Planning Agency



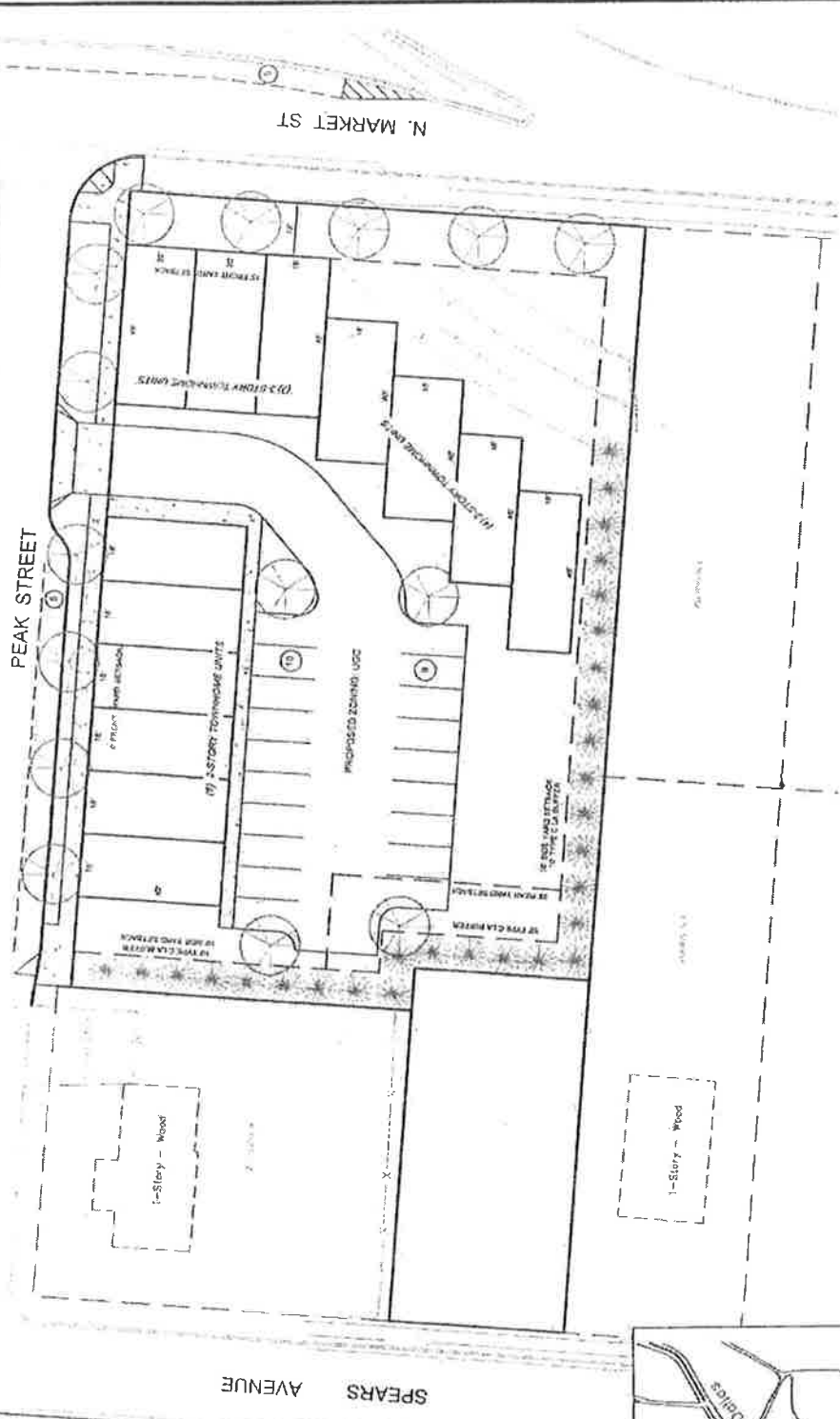
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RECEIVED

JAN 25 2016

Chattanooga-Hamilton County
Regional Planning Council
Case No. 14-0016-02



23-2016-042



AD ENGINEERING, INC.
ENGINEERING SERVICES, INC.
441 E. 4th Street, Suite 407
Chattanooga, TN 37402
PH: (423) 244-3201 FAX: (423) 244-3228
ADSS Project # 12327

Zoning Application
for
N. Market and Peak Townhomes
CHATTANOOGA, TENNESSEE

Date: 01/22/2016
By: DJS
Sheet #: **Ex-2**

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2016-023 Wanda Threat. 6420 Shallowford Road, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone.

2016-024 Belle Investment Company, Third Street Partners, and Jimmy & Molly Seal. 1028 and 1042 East 3rd Street and 1039, 1043, and 1047 East 4th Street, from R-4 Special Zone to C-3 Convenience Commercial Zone, subject to certain conditions.

2016-031 Silverdale Baptist Church, Inc. Part of a property located at 2916 Silverdale Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-035 Miller Industries Towing Equipment, Inc./Amon A.C. and Doris York. 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, from R-1 Residential Zone to M-1 Manufacturing Zone.

2016-036 ALC Holdings, LLC. 1605 and 1691 West 39th Street, 109 Old Mountain Road, and 1690 Silvels Lane, from R-1 Residential Zone, R-2 Residential Zone, and UGC Urban General Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

2016-042 Field, LLC, Gabe Thomas/John and Jennifer Langworthy. 721, 725, and 729 North Market Street, 14, 16, 18, and 20 Peak Street, and 718 Spears Avenue, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved for C-5 Neighborhood Commercial Zone and denied for the M-2 Light Industrial Zone:

2016-037 Eric Emery/Tammy Cagle, Greg Brock, and Norma Mahaffey. 5116 and 5120 Highway 58.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit for a Residential Planning Unit Development be approved:

2016-040 Joseph Ingram/Marcus Jones/Magnolia Investors, LLC/Jack Thompson and Allen Headrick. 604 and 638 Samoyed Trail, 1038 Meroney Street, 1400 Hamilton Avenue, and unnumbered Wert Street.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 2 be amended from Ordinance No. 12841 of Previous Case No. 2014-046 regarding Signage Replacement and Design Restrictions for 2016-033 Wallace Braud on property located at 1349 Gunbarrel Road.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

April 12, 2016

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2016.

Nicole Gwyn
Clerk to the City Council